

WINDELS MARX LANE & MITTENDORF, LLP

156 West 56th Street
New York, New York 10019
Tel: (212) 237-1000
Fax: (212) 262-1215
Howard L. Simon
Kim M. Longo
John J. Tepedino

Special Counsel to Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. STANLEY I. LEHRER, in his capacity as administrator of the Stanley I. Lehrer and Stuart M. Stein, J/T WROS; ELAINE STEIN ROBERTS; and EUNICE CHERVONY LEHRER, Defendants.	Adv. Pro. No. 10-05259 (SMB)

STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF
DEFENDANT EUNICE CHERVONY LEHRER FROM ADVERSARY
PROCEEDING WITHOUT PREJUDICE

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Windels Marx Lane & Mittendorf, LLP, and defendant Eunice Chervony Lehrer (“Defendant”) hereby stipulate and agree to the following:

1. In accordance with Federal Rule of Bankruptcy Procedure 7041, and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice and without costs to either party of the Trustee’s claims against Defendant in the above-captioned adversary proceeding.
2. Upon the dismissal of Defendant, the caption of the adversary proceeding is hereby amended to delete Defendant from the caption. The amended caption of the adversary proceeding shall appear as indicated in Exhibit A to this Stipulation and Order.
3. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties in interest.
4. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York
February 14, 2018

By: /s/ Howard L. Simon
Howard L. Simon (hsimon@windelsmarx.com)
Windels Marx Lane & Mittendorf, LLP
156 West 56th Street
New York, New York 10019
Telephone: (212) 237-1000

*Special Counsel for Irving H. Picard, Esq., Trustee for the
Substantively Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L. Madoff*

Dated: Delray Beach, Florida
February 13, 2018

By: /s/ Eunice Chervony Lehrer
Eunice Chervony Lehrer
Delray Beach, Florida 33446

Defendant

SO ORDERED

Dated: February 14, 2018

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. STANLEY I. LEHRER, in his capacity as administrator of the Stanley I. Lehrer and Stuart M. Stein, J/T WROS; and ELAINE STEIN ROBERTS, Defendants.	Adv. Pro. No. 10-05259 (SMB)